

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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MATHEW NEISLER,

Plaintiff,

-vs-

Case No. 13-CV-821

ROBERT TUCKWELL, JAMES MUENCHOW,  
and WILLIAM POLLARD,

Defendants.

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**DECISION AND ORDER**

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The plaintiff has filed a petition for review and deadline modification extending the deadline for discovery. According to the plaintiff, he filed an initial discovery request on January 6, 2014, and the defendants responded on February 5, 2014, although they objected to most of the requested items as overly broad. On February 21, 2014, the plaintiff filed a second request for discovery limiting the scope of the first request. This request was untimely because the deadline for the completion of discovery was February 28, 2014, and requests for production of documents must be made so that the documents are produced before the deadline. Civil L.R. 26(c) (E.D. Wis.). However, the plaintiff asserts that counsel for the defendants agreed to review and respond to the second discovery request in a February 26, 2014, telephone conversation with him. The plaintiff requests that the court reopen discovery so that the defendants may respond to his February 21, 2014, discovery

request. He also requests that the Court review *in camera* the documents in his first discovery request that the defendants failed to produce based on objections.

In response, the defendants assert that the plaintiff's request to modify the discovery deadline should be denied because he does not present a legitimate reason to extend the deadline and because he filed his request after the deadline passed. Alternatively, the defendants propose that they be provided with 30 days to respond to the plaintiff's second request for discovery and that the dispositive motion deadline be postponed to a date 30 days after they mail the discovery responses to the plaintiff.

Here, the plaintiff is diligently litigating this case and extending the deadline will not unduly delay the case or prejudice the defendants. Thus, under the circumstances, the Court finds that it is reasonable to extend the deadline. However, with regard to the plaintiff's request that the Court review *in camera* documents that the defendants did not provide, there is no basis for doing so at this time.

**IT IS THEREFORE ORDERED** that the plaintiff's motion for extension of time (Docket # 23) is **granted**.

**IT IS FURTHER ORDERED** that the deadline for the completion of discovery is **May 15, 2014**, and the deadline for filing dispositive motions is **June 16, 2014**.

Dated at Milwaukee, Wisconsin, this 8th day of April, 2014.

**SO ORDERED,**

  
HON. RUDOLPH T. RANDA  
U. S. District Judge